

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CALVIN LAME BULL JUNEAU,

Defendant.

CR-22-43-GF-BMM-JTJ

FINDINGS AND
RECOMMENDATIONS

I. Synopsis

Defendant Calvin Lame Bull Juneau (Juneau) has been accused of violating the conditions of his supervised release. (Doc. 171) Juneau admitted the alleged violations. Juneau's supervised release should be revoked. Juneau should be sentenced to custody for a term of 2 months, with said term beginning on September 26, 2024, followed by 34 months of supervised release. During the first sixty (60) days of Juneau's supervised release, he shall be placed at a secure in-patient substance abuse treatment facility such as Connections Corrections.

II. Status

Juneau pled guilty on November 16, 2022, to the offense of Assault Resulting in Serious Bodily Injury, in violation of 18 U.S.C. § § 113(a)(6), 1153(a) as charged

in Counts 1 of the Superseding Indictment. (Doc. 60) Juneau was sentenced to 20 months of custody, with 3 years of supervised release to follow. (Doc. 80) Juneau's current term of supervised release began on April 17, 2024.

Petition

On June 25, 2024, the United States Probation Office filed a Petition requesting that the Court revoke Juneau's supervised release. (Doc. 98) The Petition alleged Juneau violated conditions of his supervised release by: (1) failing to successfully complete a program of substance abuse treatment by leaving Crystal Creek Lodge, an in-patient substance abuse treatment facility on June 23, 2024; (2) failing to live in a place approved by his probation officer by advising his probation officer that he planned to return to Crystal Creek Lodge to be re-admitted on June 24, 2024 and failed to do so. Between June 25, 2024, and September 26, 2024, Juneau's whereabouts were unknown.

Initial Appearance

Juneau appeared before the Court on October 15, 2024. Juneau was represented by counsel. Juneau stated that he had read the Petition and that he understood the allegations against him. Juneau waived his right to a preliminary hearing. The parties consented to proceed with the revocation hearing before the undersigned.

Revocation hearing

Juneau appeared before the Court on October 15, 2024. Juneau admitted that he had violated the conditions of supervised release as set forth in the Petition by: (1) failing to successfully complete a program of substance abuse treatment by leaving Crystal Creek Lodge, an in-patient substance abuse treatment facility, on June 23, 2024; (2) failing to live in a place approved by his probation officer by advising his probation officer that he planned to return to Crystal Creek Lodge to be re-admitted on June 24, 2024 and failed to do so. Between June 25, 2024, and September 26, 2024, Juneau's whereabouts were unknown. Juneau's admitted violations are serious and warrant revocation of his supervised release.

Sentencing hearing

Juneau appeared before the Court on October 15, 2024. Juneau's violations are a Grade C. His criminal history category is I. Juneau's underlying offense is a Class C felony. Juneau could be incarcerated for up to 24 months. Juneau could be ordered to remain on supervised release for 36 months less any custody time. The United States Sentencing Guidelines call for a term of custody of 3 to 9 months.

III. Analysis

Juneau's supervised release should be revoked. Juneau should be sentenced to custody for a term of 2 months, with said term beginning on September 26, 2024, followed by 34 months of supervised release. During the first sixty (60) days of

Juneau's supervised release, he shall be placed at a secure in-patient substance abuse treatment facility such as Connections Corrections. This sentence is sufficient but not greater than necessary.

IV. Conclusion

The Court informed Juneau that the above sentence would be recommended to the Chief United States District Judge Brian Morris. The Court also informed Juneau of his right to object to these Findings and Recommendations within 14 days of this issuance. The Court explained to Juneau that Judge Morris would consider a timely objection before making a final determination on whether to revoke his supervised release and what, if any, sanction to impose.

The Court **FINDS:**

That CALVIN LAME BULL JUNEAU has violated the conditions of his supervised release by: (1) failing to successfully complete a program of substance abuse treatment by leaving Crystal Creek Lodge, an in-patient substance abuse treatment facility on June 23, 2024; (2) failing to live in a place approved by his probation officer by advising his probation officer that he planned to return to Crystal Creek Lodge to be re-admitted on June 24, 2024 and failed to do so. Between June 25, 2024, and September 26, 2024, Juneau's whereabouts were unknown.

The Court **RECOMMENDS:**

That the District Court revoke Juneau's supervised release and sentence Juneau custody for a term of 2 months, with said term to begin on September 26, 2024, followed by 34 months of supervised release. During the first sixty (60) days of Juneau's supervised release, he shall be placed at a secure in-patient substance abuse treatment facility such as Connections Corrections.

**NOTICE OF RIGHT TO OBJECT TO FINDINGS AND
RECOMMENDATIONS AND CONSEQUENCES OF FAILURE TO
OBJECT**

The parties may serve and file a written objections to the Findings and Recommendations within 14 days of their entry, as indicated on the Notice of Electronic Filing. 28 U.S.C. Section 636(b)(1). A United States district court judge will make a de novo determination regarding any portion of the Findings and Recommendations to which objection is made. The district court judge may accept, reject, or modify, in whole or in part, the Findings and Recommendations. Failure to timely file written objections may bar a de novo determination by the district court judge and may waive the right to appear and allocute before a district court judge.

DATED this 16th day of October 2024.


John Johnston
United States Magistrate Judge